

REMARKS/ARGUMENTS

After entry of this paper, claims 49-51 are pending. Claims 1-48 are cancelled, without prejudice, as being drawn to non-elected subject matter. Applicants reserve the right to pursue this non-elected subject matter in a divisional application.

Claim 50 is added to recite another embodiment of the elected invention. Support for this claim is found in the specification on pages 7-13. No new matter is added by this claim. Claim 51 contains certain compounds deleted from original claim 49, which compounds are supported by the originally filed specification.

Restriction Requirement

The Examiner restricted the claims into two (2) groups and required the election of the invention of one (1) group.

As noted above, Applicants elected the invention of Group II, i.e., a compound. Claims 49-51 read on this election.

Species Election

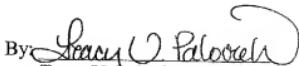
The Examiner required the elected one specific compound from claim 49.

As noted above, Applicants elected [3-(4,4-dimethyl-2-oxo-1,4-dihydro-2H-3,1-benzoxazin-6-yl)-5-fluorophenyl]acetonitrile as the species. Claims 49 and 50 read on this election. Applicants request that, subsequent to searching the elected compound and thereby finding the elected subject matter allowable in view thereof, the Examiner extend the search to include the remaining non-elected compounds and withdraw the outstanding species election requirement.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the pendency of this application, or credit any overpayment in any fees to our Deposit Account No. 08-3040.

Respectfully submitted,

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